

**REMARKS**

**INTRODUCTION**

In accordance with the forgoing, claims 1-2 and 28 have been cancelled and new claim 37 is added. Claims 3-27 and 37 are pending and under consideration. Reconsideration is respectfully requested.

**PRIOR ART REJECTIONS**

The rejections based on Kim are moot since the rejected claims are cancelled.

Using independent claim 12 as an example, this claim recites writing and displaying a program list including program guide information of a channel currently tuned into.

In contrast, Mankovitz operates in an off state, thus there is no currently tuned channel. Specifically, column 6, lines 6-8 of the reference indicate that when the TV ON detector 763 indicates that the television 14 is OFF, the controller 750 can begin a search for a television source and a channel having television guide information. Thus, this reference does not operate when a channel is currently tuned into.

With respect to Cuccia, this reference performs scanning when the receiver is not in use, namely, in either a standby mode or while performing a function that does not involve the receiver. Cuccia, Abstract.

The remaining references do not overcome the deficiencies in Cuccia and Mankovitz.

Accordingly, withdrawal of the rejection is requested.

**CONCLUSION**

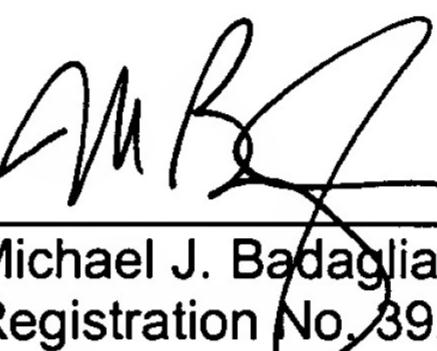
In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited. At a minimum, this Amendment should be entered at least for purposes of Appeal as it either clarifies and/or narrows the issues for consideration by the Board.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited and possibly concluded by the Examiner contacting the undersigned attorney for a telephone interview to discuss any such remaining issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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